

**Memorandum on Waiving
Prohibition on United States Military
Assistance With Respect to the
Republic of the Congo**

August 6, 2004

Presidential Determination No. 2004-41

Memorandum for the Secretary of State

Subject: Waiving Prohibition on United States Military Assistance with Respect to the Republic of the Congo

Consistent with the authority vested in me by section 2007 of the American Servicemembers' Protection Act of 2002 (the "Act"), title II of Public Law 107-206 (22 U.S.C. 7421 *et seq.*), I hereby:

- Determine that the Republic of the Congo has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against U.S. personnel present in such countries; and
- Waive the prohibition of section 2007(a) of the Act with respect to this country for as long as such agreement remains in force.

You are authorized and directed to report this determination to the Congress, and to arrange for its publication in the *Federal Register*.

George W. Bush

**Notice—Continuation of Emergency
Regarding Export Control
Regulations**

August 6, 2004

On August 17, 2001, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order 13222. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et seq.*). Because the Export Administration Act has not

been renewed by the Congress, the national emergency declared on August 17, 2001, and renewed on August 14, 2002, and on August 7, 2003, must continue in effect beyond August 17, 2004. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13222.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
August 6, 2004.

[Filed with the Office of the Federal Register, 9:07 a.m., August 9, 2004]

NOTE: This notice will be published in the *Federal Register* on August 10.

**Letter to Congressional Leaders
Transmitting a Notice on
Continuation of Emergency
Regarding Export Control
Regulations**

August 6, 2004

Dear Mr. Speaker: (Dear Mr. President:)

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency caused by the lapse of the Export Administration Act of 1979, as amended, is to continue in effect beyond August 17, 2004, to the *Federal Register* for publication.

Sincerely,

George W. Bush

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate.